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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,201	03/29/2001	Samuel M. Lester	10003725-1	1212

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
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EXAMINER  
EBRAHIMI DEHKORDY, SAEID

ART UNIT 2626	PAPER NUMBER
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DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/823,201	<b>Applicant(s)</b> LESTER, SAMUEL M.	
	<b>Examiner</b> Saeid Ebrahimi-dehKordy	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-7, 9-13, 15-16 and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Soga (U.S. patent 6,476,938)

**Regarding claim 1** Saga discloses: A method for operating a printer, comprising:

writing a document to a file (note column 4 lines 28-31 where the printer or print server  
10 processes the document or in this case the print data from the host and generates  
one or more pages which would be the file to be sent to the printer) translating the file  
(note Abstract also note Fig.6, column 7 lines 12-16 where the conversion module 118  
converts the data sent from the data entry module 116 into PDL data) using a procedure  
into a sequence of commands for a page description language (note again column 7  
lines 10-16 where the conversion module 118 converts the data to the PDL data using  
the procedure of the conversion module 118 of Fig.6) and sending the page description

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language commands to a page description language interpreter (note column 7 lines 15-17 where the data which was translated to the PDL data is send to the PDL interpreter 110 of Fig.6).

**Regarding claim 2** Soga discloses: A method as recited in claim 1, additionally comprising receiving an error message in response to an unrecognized command in the document (note column 6, lines 9-33 where the error message is was created and sent).

**Regarding claim 4, 9 and 12** Soga discloses: A method as recited in claim 1, wherein the procedure is written in the page description language (note column 4 lines 42-54).

**Regarding claim 5, 10 and 15** Soga discloses: A method as recited in claim 4, wherein the page description language is PostScript (note Fig.3, column 5 lines 66-67 and column 6 lines 1-8).

**Regarding claim 6 and 19** Soga discloses: A method as recited in claim 1, additionally comprising obtaining, over a network, files referenced by the file (note Fig.1, column 4 lines 18-34).

**Regarding claim 7, 11, 13 and 16** Soga discloses: A method for printing a document using a printer having an interpreter supported by a page description language (note Fig.1, item 110 the printer PDL interpreter, column 4 lines 35-54) comprising: calling an error handler in response to an unrecognized command in the document (note Figs, 1, Item 112 the parser", column 6 lines 6-8 where the parser 112 is called to investigate the errors) writing statements prior to the unrecognized statement to a file (note column 4 lines 21-23 where the edited software program is witting the document data to the file) writing a data stream comprising the unrecognized statement and subsequent

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statements in the document to the file (note Fig.3, column 6 lines 9-33, where the error was detected by parser 112 and fixed) translating the file into a sequence of page description language commands (note Abstract also note Fig.6, column 7 lines 12-16 where the conversion module 118 converts the data sent from the data entry module 116 into PDL data, and note again column 7 lines 10-16 where the conversion module 118 converts the data to the PDL data using the procedure of the conversion module 118 of Fig.6) and sending the page description language commands to the interpreter (note column 7 lines 15-17 where the data which was translated to the PDL data is send to the PDL interpreter 110 of Fig.6).

**Regarding claim 18** Soga discloses: A page description language as recited in claim 16, wherein an error handler (Fig.1 item 112 the parser) is written in the page description language (note column 5 lines 66-67 and column 6 lines 1-8).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim3, 8, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soga (U.S. patent 6,476,938) in view of Simchik et al (U.S. patent 6,856,415)

**Regarding claim 3, 8, 14 and 17** Soga does not clearly teach: A method as recited in claim 1, wherein the document is of a type selected from a group of documents comprising a PDF document and an HTML document. On the other hand Simchik et al disclose: A method as recited in claim 1, wherein the document is of a type selected

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from a group of documents comprising a PDF document and an HTML document (note Fig.3, column 6 lines 39-50 where the HTML file is translated to the PDL file).

Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Soga's invention according to the teaching of Simchik et al, where Simchik et al teach the way other formatted data such as HTML or PDF are translated though the interpreter or in this case the translator, to the PDL data as to be able to manipulate the files into the format or editing and printing as stated on column 6 lines 19-22.

***Claim Rejections - 35 USC § 112***

6. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "using a procedure" is indefinite.

**Contact Information**

➤ Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

**Any response to this action should be mailed to:**

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Assistant Commissioner for Patents

Washington, D.C. 20231

**Or faxed to:**

(571) 273-8300, (for **formal** communications; please mark  
"EXPEDITED PROCEDURE")

**Or:**

(703) 306-5406 (for **informal** or **draft** communications, please label  
"PROPOSED" or "DRAFT")

**Hand delivered responses** should be brought to Knox building on 501 Dulany  
Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy  
Patent Examiner  
Group Art Unit 2626  
March 3, 2006



MARK WALLERSON  
PRIMARY EXAMINER